

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737
Phone: (301) 734-8684
Fax: (301) 734-4328

RESPONDENT:

Carl and Dianna Bruce
d/b/a Bruce's Country Kennel
541 South 12th Avenue
Munday, TX 76371

CASE NUMBER TX10090-AC
DUE ON OR BEFORE December 15, 2010
CONTACT Kelly R. Briscoe
PHONE (301) 734-0885

DATE	CITATION	DESCRIPTION
26-AUG-2008	9 CFR 2.126(a)(1)	Access and inspection of records and property. This regulation specifies that each dealer, exhibitor, intermediate handler, or carrier shall allow APHIS officials to enter its place of business for inspection during business hours. On 8/26/08, no facility representative was available to facilitate inspection of animals, premises, and records by APHIS officials. PAGE 1 OF 2

PENALTY \$ 47,429

TERMS

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent:

Date:

PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

<u>DATE</u>	<u>CITATION</u>	<u>DESCRIPTION</u>	TX10090-AC
15-JUL-2009 29-JUL-2009 12-AUG-2009 23-SEP-2009	9 CFR 2.1(a)(1)	<p>Requirements and application. Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, must have a valid license.</p> <p>On July 15, 2009, Respondent sold 12 Maltese puppies; July 29, 2009, 11 mixed breed puppies; August 12, 2009, 9 Maltese puppies and on September 23, 2009, 8 mixed breed puppies. Carl and Dianna Bruce continued to operate as a dealer by selling canines to retail pet stores after their license was cancelled on 10/2/08.</p>	